

REMARKS

Claims 1-20 are all the claims presently pending in the application. The Abstract has been amended and claims 12 - 20 are added. Claims 1 and 14 are independent.

These amendments are made only to more particularly point out the invention for the Examiner and not for narrowing the scope of the claims or for any reason related to a statutory requirement for patentability.

Applicants also note that, notwithstanding any claim amendments herein or later during prosecution, Applicants' intent is to encompass equivalents of all claim elements.

Claims 1-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Yasuda reference.

This rejection is respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

A first exemplary embodiment of the claimed invention, as defined by, for example, independent claim 1, is directed to a securing clip for securing a first panel member with a second panel member. The clip includes a first fitting portion having a U-character shape for fitting a holed end portion of the first panel member, and a second fitting portion having a U-character shape for fitting a holed end portion of the second panel member. The securing clip is like an S-character in cross section. Each of the first fitting portion and the second fitting portion is formed with an engaging pawl engaging a hole at the end portion of the corresponding panel member on an inner wall face of its own, and the second fitting portion is formed with an engagement wall engaging a regulation wall provided on the second panel member.

Conventional securing clips are subject to the risk of a distortion about the hole in the fender protector which may result in the clip releasing from the hole in the fender protector (page 1, line 23 - page 2, line 7).

In stark contrast, the present invention provides an engagement wall engaging a regulation wall provided on the second panel member. In this manner, the securing clip will not distort around the hole in the second panel member and, therefore, will reduce the likelihood that the second panel member will fall off the first panel member. (Page 4, lines 13 - 21).

II. THE PRIOR ART REJECTION

The Examiner alleges that the Yasuda reference teaches the claimed invention. Applicants submit, however, that there are elements of the claimed invention which are neither taught nor suggested by the Yasuda reference.

Firstly, the Examiner's rejection fails to comply with 37 C.F.R. §1.104(c)(2) which requires that "the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified." (Emphasis added).

In this case, not only has the Examiner failed to cite the particular portion of the Yasuda reference which may have been relied upon, but the Examiner has also failed to clearly explain the pertinence of the Yasuda reference to each rejected claim.

In particular, the Examiner only refers to Figure 1 of the Yasuda reference when alleging that the Yasuda reference discloses the claimed first fitting portion and the second fitting portion without pointing out which particular part of the clip 17 that is illustrated by

Figure 1 of the Yasuda reference corresponds with these particular claimed features.

For example, the Examiner does not make clear which of the outer panel 23, the reinforce 27, the door molding 7, and the weather strip 8 that the Examiner intends to allege corresponds to the claimed first panel member and the claimed second panel member.

Without this clarification, it is impossible to determine which portions of the clip 17 that is disclosed by the Yasuda reference that the Examiner intends to allege corresponds to the particular features which are recited by the claims.

To assist Applicants' understanding, Applicants hereby respectfully request that the Examiner comply with the requirements of M.P.E.P. § 707.05 by explaining in detail the correspondence between the specific features recited by claims 1-11 and the particular portions of the Yasuda reference.

Note that MPEP 707.05 states:

"During the examination of an application or reexamination of a patent, the examiner should cite appropriate prior art which is nearest to the subject matter defined in the claims. When such prior art is cited, its pertinence should be explained"

To further the prosecution of this application, however, Applicants have closely reviewed the Yasuda reference to address the clear differences between the clip 17 that is disclosed by the Yasuda reference and the claims.

The Yasuda reference clearly does not teach or suggest the features of the claimed invention including: 1) a second fitting portion having the U-character shape for fitting a holed end portion of the second panel member; 2) each of the first fitting portion and the second fitting portion is formed with an engaging pawl engaging a hole at the end portion of

the corresponding panel member on an inner wall face of its own; and 3) the second fitting portion is formed with an engagement wall engaging a regulation wall provided on the second panel member as recited by, for example, independent claim 1. As explained above, these features are important for preventing the second panel member from falling off of the first panel member.

As pointed out above, the Examiner's rejection is not clear as to what the Examiner intends to allege corresponds to the first fitting portion and the second fitting portion as recited in claim 1.

However, Applicants note that the Examiner refers to the outer engagement pieces 12 of the clip 17 that is disclosed by the Yasuda reference when alleging that Yasuda reference discloses a regulation wall.

The Examiner appears to be confused in this regard because claim 1 clearly recites that the regulation wall is provided on the second panel member. Clearly, the outer engagement pieces 12 are part of the clip 17 and do not form any portion of any panel member at all, let alone a second panel member.

Applicants note that the confusion that appears in the Examiner's rejection in this regard may be due to a typographical error and that the Examiner may have been attempting to allege that the outer engagement pieces 12 correspond to the claimed engagement wall rather than the regulation wall.

Applicants respectfully request clarification from the Examiner as to the Examiner's allegation as to what the Examiner intends to allege that the Yasuda reference discloses with respect to the claims.

However, should this have been a typographical error, and the Examiner intended to

allege that the outer engagement pieces 12 correspond to the claimed engagement wall engaging a regulation wall of the second panel member, such would provide guidance as to what the Examiner intended corresponded to the second panel member.

In particular, the outer engagement pieces 12 engage the outer end 9 of the door molding 7 and the end 19 of the weather strip 8, via the upper step 18a and the lower step 18b, respectively. Therefore, the Examiner may have intended to allege that one of the weather strip 8 and the door molding 7 corresponds to the claimed second panel member.

In either case, neither of the weather strip 8 and the door molding 7 that are disclosed by the Yasuda reference include a holed end portion as recited by independent claim 1.

Indeed, only the reinforce 27 includes anything at all that even remotely resembles a hole portion. The reinforce 27 includes a partial notch 28.

None of the outer panel 23, the door molding 7, and the weather strip 8 include any hole at all.

Further, since neither of the weather strip 8 and the molding 7 that are disclosed by the Yasuda reference include a holed end portion, then the Yasuda reference clearly does not teach or suggest: 1) a second fitting portion having the U-character shape for fitting a holed end portion of the second panel member; and 2) each of the first fitting portion and the second fitting portion is formed with an engaging pawl engaging a hole at the end portion of the corresponding panel member on an inner wall face of its own; as recited by independent claim 1.

Similarly, with respect to claims 3 and 4, since neither of the weather strip 8 and the door molding 7 that are disclosed by the Yasuda reference include a holed end portion, the Yasuda reference clearly does not teach or suggest an engagement face of the engagement

wall being inclined with respect to a central axis of the holed end portion.

With regard to claims 5 - 7, the Yasuda reference clearly does not teach or suggest a detachment grip portion for detaching the clip from the second panel member.

The Examiner appears to allege that the bottom end 26a of the pinching section 26 that is disclosed by the Yasuda reference corresponds to the detachment grip portion as recited by claims 5 - 7.

However, contrary to the Examiner's allegations, the bottom end 26a is not capable of detaching the clip from the door molding 7 and the weather strip 8, which the Examiner appears to allege corresponds to the second panel member.

Indeed, the bottom end 26a is not accessible when the door molding 7 and/or the weather strip 8 is mounted on the clip 17.

Moreover, the bottom end 26a is also not capable of detaching the clip from the outer panel 23 and/or the reinforce 27.

Rather, manipulating the bottom end 26a would merely detach the outer panel 23 from the interposed engagement pieces 22, but would not detach the outer panel 23 from the second fitting portion because the elastic salient 14 of the clip 17 would continue to engage the outer panel 23.

Clearly, the bottom end 26a does not correspond to the claimed detachment grip portion because the bottom end 26a is not capable of detaching the clip from a second panel member, regardless of which of the door molding 7, weather strip 8, outer panel 23, and reinforce 27 that the Examiner might allege corresponds to the claimed second panel member.

Further, regarding claims 8 - 11, contrary to the Examiner's allegations, the Yasuda reference does not teach or suggest a rib wall on an inner wall face of a second fitting portion.

As pointed out above, the Examiner does not make clear which portion of the disclosure of the Yasuda reference that the Examiner alleges corresponds to the second fitting portion.

The Examiner merely alleges that this feature is “considered to be the protruded portion of the second fitting portion engaging 27 in Fig. 2.”

Since, only the inner engagement piece 11 of the clip 17 contacts the reinforce 27 in Figure 2 of the Yasuda reference, the Examiner appears to be alleging that the inner engagement piece 11 corresponds to the second fitting portion.

Applicants note that only the outer wall of the inner engagement piece 11 contacts the reinforce 27 in Figure 2 of the Yasuda reference. Therefore, the “protruded portion” which contacts the reinforce 27 is not on an inner wall face as recited by claims 8-11.

Therefore, contrary to the Examiner’s allegation, the Yasuda reference clearly does not teach or suggest a rib wall on an inner wall face of a second fitting portion as recited by claims 8-11.

Therefore, the Yasuda reference does not teach or suggest each and every element of the claimed invention and the Examiner is respectfully requested to withdraw this rejection of claims 1-11.

III. FORMAL MATTERS AND CONCLUSION

The Office Action objects to the Abstract. This Amendment amends the Abstract in accordance with Examiner Kennedy’s very helpful suggestion. Applicants respectfully request withdrawal of this objection.

Applicants note that while Examiner Kennedy has applied the Yasuda reference,

Examiner Kennedy has yet to indicate consideration of the Yasuda reference on a Form PTO-892. Applicants respectfully request that Examiner Kennedy indicate consideration of the Yasuda reference on a Form PTO-892.

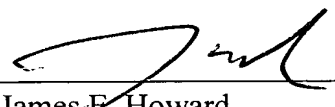
In view of the foregoing amendments and remarks, Applicants respectfully submit that claims 1-20, all the claims presently pending in the Application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the Application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 9/22/25


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